

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

CHILDREN’S HEALTH DEFENSE,)
ROBERT F. KENNEDY, JR., TRIALSITE,)
INC., CREATIVE DESTRUCTION)
MEDIA, LLC, ERIN ELIZABETH FINN,)
JIM HOFT, DR. BEN TAPPER, BEN)
SWANN, DR. JOSEPH MERCOLA, TY)
BOLLINGER & CHARLENE)
BOLLINGER,)

Plaintiffs,

v.

THE WASHINGTON POST CO., THE)
BRITISH BROADCASTING CORP., THE)
ASSOCIATED PRESS, & REUTERS,)

Defendants.

Civil Action No. 23-cv-004-Z

CONSENT MOTION TO AMEND COMPLAINT UNDER F.R.C.P. 15(a)(2)

At the request and with the consent of Defendants, Plaintiffs hereby move to amend their Complaint pursuant to Fed. R. Civ. P. 15(a)(2) solely to change the name of Defendant the Washington Post Co. to “WP Company, LLC, d/b/a the Washington Post.”

PROCEDURAL BACKGROUND

On February 17, 2023, a consent motion in this action was filed by “Defendant WP Company d/b/a the Washington Post” (hereafter “the Post”), seeking an extension of briefing time. (ECF No. 19.) On Feb. 23, 2023, the Court granted that motion. (ECF No. 24.)

As stated in the Post’s motion, counsel for the Post have notified Plaintiffs that in the Post’s view, the Post should not have been named “the Washington Post Co.” in the Complaint,

but rather “WP Company LLC d/b/a the Washington Post.” As further recited in the Post’s motion, Plaintiffs agreed to amend the Complaint to make that name change as part of a larger agreement among the parties in which: (a) the Post and Defendant the British Broadcasting Co. (the “BBC”) agreed to waive service of process; and (b) all parties agreed that the name-change amendment would not prejudice Plaintiffs’ right to amend the Complaint as of course under Rule 15(a)(1). (ECF No. 19 at 2.) The Post and the BBC have now waived service, and Plaintiffs are therefore amending the Complaint to make the requested name change.

AMENDMENT PURSUANT TO RULE 15(a)(2)

Because the amendment has been consented to by all parties, this motion is made pursuant to Rule 15(a)(2) (amendment by consent), not Rule 15(a)(1) (amendment as of right within certain calendar periods). As the Post’s consent motion states, all parties have agreed “that this [name-change amendment] will be without prejudice to Plaintiffs’ right to amend as of course pursuant to Rule 15(a)(1).” (ECF No. 19 at 2.)

For avoidance of doubt, the *only* changes made in the Amended Complaint (attached as Exhibit A) are as follows: in the caption, the name “the Washington Post Co.” has been changed to “WP Company, LLC d/b/a the Washington Post”; and in paragraph 110 (p. 19), the words “Defendant the Washington Post Co.” have been changed to “Defendant WP Company, LLC d/b/a the Washington Post.”

CERTIFICATE OF SERVICE

Plaintiffs certify that copies of this Motion and of the proposed Amended Complaint have been delivered to counsel for all Defendants.

RESPECTFULLY SUBMITTED:
March 6, 2023



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